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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

LAMARTICE, WRIGHT,  
  
                                Petitioner,  
  
                v.  
  
B. WILLIAMS,  
  
                                Respondents.

Case No. 2:18-cv-02136-RCJ-VCF

**ORDER**

Petitioner has paid the filing fee. Petitioner also has filed an amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 8), an application to proceed in forma pauperis (ECF No. 9), and a motion for appointment of counsel (ECF No. 10).

Petitioner is financially eligible for appointment of counsel under 18 U.S.C. § 3006A. The court finds that appointment of counsel is in the interests of justice given petitioner's lengthy prison sentence in the aggregate and his claim that he was not informed of a plea offer.

IT THEREFORE IS ORDERED that the application to proceed in forma pauperis (ECF No. 9) is **GRANTED**.

IT FURTHER IS ORDERED that the motion for appointment of counsel (ECF No. 10) is **GRANTED**.

IT FURTHER IS ORDERED that the Federal Public Defender is appointed provisionally a counsel. The Federal Public Defender will have thirty (30) days from the date of entry of this

1 order either to undertake representation of petitioner or to indicate to the court the office's  
2 inability to represent petitioner. If the Federal Public Defender is unable to represent petitioner,  
3 then the court will appoint alternate counsel, subject again to establishment of financial eligibility.  
4 The court will set a deadline for filing of an amended petition or a motion seeking other relief  
5 after counsel has appeared. The court anticipates setting the deadline for ninety (90) days from  
6 entry of the formal order of appointment. The court does not signify any implied finding of  
7 tolling during any time period established or any extension granted. Petitioner always remains  
8 responsible for calculating the limitation period of 28 U.S.C. § 2244(d)(1) and timely presenting  
9 claims. The court makes no representation that the petition, any amendments to the petition, and  
10 any claims in the petition or amendments are not subject to dismissal as untimely. See Sossa v.  
11 Diaz, 729 F.3d 1225, 1235 (9th Cir. 2013).

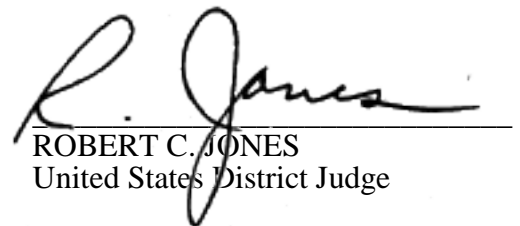
12 IT FURTHER IS ORDERED that the clerk add Aaron Ford, Attorney General for the  
13 State of Nevada, as counsel for respondents.

14 IT FURTHER IS ORDERED that the clerk electronically serve both the Attorney General  
15 of the State of Nevada and the Federal Public Defender a copy of the petition and a copy of this  
16 order.

17 IT FURTHER IS ORDERED that respondents' counsel must enter a notice of appearance  
18 within twenty (20) days of entry of this order, but no further response will be required from  
19 respondents until further order of the court.

20 IT FURTHER IS ORDERED that the clerk shall provide copies of all prior filings to both  
21 the Attorney General and the Federal Public Defender in a manner consistent with the clerk's  
22 current practice, such as regeneration of notices of electronic filing.

23 DATED: July 1, 2019.

24   
25 ROBERT C. JONES  
26 United States District Judge  
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